

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DR. MORGAN REYNOLDS on behalf of the
UNITED STATES OF AMERICA,

Plaintiff / Realtor,

vs.

SCIENCE APPLICATIONS INTERNATIONAL
CORP.; APPLIED RESEARCH ASSOCIATES, INC.;
BOEING; NuSTATS; COMPUTER
AIDED ENGINEERING ASSOCIATES, INC.;
DATASOURCE, INC.; GEOSTAATS, INC.;
GILSANZ MURRAY STEFICEK LLP;
HUGHES ASSOCIATES, INC.; AJMAL
ABBASI, EDUARDO KAUSEL;
DAVID PARKS; DAVID SHARP; DANIELE
VENEZANO; JOSEF VAN DYCK, KASPAR
WILLIAM; ROLF JENSEN & ASSOCIATES,
INC.; ROSENWASSER/GROSSMAN CONSULTING
ENGINEERS, P.C.; SIMPSON GUMPERTZ &
HEGER, INC.; S.K. GHOSH ASSOCIATES,
INC.; SKIDMORE, OWINGS & MERRILL,
LLP; TENG & ASSOCIATES, INC.;
UNDERWRITERS LABORATORIES, INC.;
WISS, JANNEY, ELSTNER ASSOCIATES,
INC.; AMERICAN AIRLINES; SILVERSTEIN
PROPERTIES; and UNITED AIRLINES,

Defendants.
----- X

Civil Action
No. 07 CV 4612

ECF CASE

**NOTICE OF MOTION FOR
RULE 11 SANCTIONS**

PLEASE TAKE NOTICE that on a date and time to be determined by the Court,
Defendant Skidmore, Owings & Merrill, LLP ("SOM") will move before the Honorable George
B. Daniels, United States District Judge at the United States Courthouse, Southern District of
New York, 500 Pearl Street, New York, New York, for an order granting sanctions, pursuant to
Rule 11 of the Federal Rules of Civil Procedure, against Plaintiff/Relator Morgan Reynolds and

Plaintiff/Relator's counsel, Jerry V. Leaphart and the Law Offices of Jerry V. Leaphart & Associates, P.C.

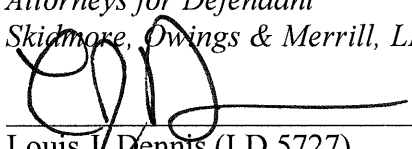
This motion is supported by the annexed Declaration of Louis J. Dennis, dated January 9, 2008, the Memorandum of Law of Defendant Underwriters Laboratories, Inc. ("UL") in support of UL's motion for Rule 11 sanctions, dated November 8, 2007, and the Declaration of Phillip C. Semprevivo in support of UL's motion for Rule 11 sanctions, dated November 8, 2007.

As explained in further detail in the Dennis and Semprevivo Declarations and in UL's Memorandum of Law, Plaintiff/Relator's Complaint is barred by the False Claims Act's first to file rule (31 U.S.C. § 3730(b)(5)), since Mr. Leaphart preceded the instant Complaint by filing a virtually identical complaint on behalf Relator Judy Wood (case no. 07-CV-3314-GBD). The Complaint is also frivolous because it is clearly barred by numerous other rules, including the heightened pleading requirements for allegations of fraud as codified in Fed. R. Civ. P. 9(b) and the original source requirement of the False Claims Act. Because Plaintiff/Relator and his counsel have refused to withdraw these frivolous claims, SOM is entitled to sanctions pursuant to Fed. R. Civ. P. 11.

Dated: New York, New York
January 9, 2008

Respectfully submitted,

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CERTIFICATION OF SERVICE

I hereby certify that on January 31, 2008, I electronically filed the foregoing Notice and Declaration with the Clerk of the Court using the CM / ECF system, which will send notification of filing to the following recipients.

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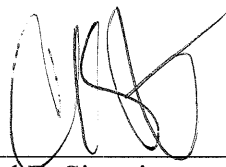
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Dated: New York, New York
January 31, 2008



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